

ORDINANCE 15-35

AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AMENDMENT TO TEXT OF THE BRIDGEWATER CLUB PLANNED UNIT DEVELOPMENT BEING THAT OF ORDINANCE 06-49, ORDINANCE 08-05, ORDINANCE 09-17, ORDINANCE 10-01, ORDINANCE 10-05, ORDINANCE 10-08, ORDINANCE 10-19, ORDINANCE 11-01, ORDINANCE 12-10, ORDINANCE 13-03, ORDINANCE 13-06, ORDINANCE 13-08, ORDINANCE 14-02, ORDINANCE 14-16, ORDINANCE 14-44, ORDINANCE 15-35 AND TITLE 16 - LAND USE CONTROLS

WHEREAS, The City of Westfield, Indiana and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield-Washington Township Zoning Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (Docket 1511-PUD-21), filed with the Commission requesting an amendment to Ordinance 06-49, enacted by the Town Council on October 9, 2006 , and amended by (i) Ordinance 08-05, enacted by the City Council on February 11, 2008 (ii) Ordinance 09-17, enacted by the City Council on September 14, 2009; (iii) Ordinance 10-01, enacted by the City Council on February 8, 2010; (iv) Ordinance 10-05, enacted by the City Council on April 12, 2010; (v) Ordinance 10-08, enacted by the City Council on May 24, 2010; (vi) Ordinance 10-19, enacted by the City Council on September 13, 2010; (vii) Ordinance 11-01, enacted by the City Council on January 10, 2011; (viii) Ordinance 12-10, enacted by the City Council on April 9, 2012; (ix) Ordinance 13-03, enacted by the City Council on February 11, 2013; (x) Ordinance 13-06, enacted by the City Council on March 11, 2013; (xi) Ordinance 13-08, enacted by the City Council on March 25, 2013; (xii) Ordinance 14-02, enacted by the City Council on February 24, 2014; (xiii) Ordinance 14-16, enacted by the City Council on May 12, 2014; (xiv) Ordinance 14-44, enacted by the City Council on September 22, 2014; and (xv) Ordinance 15-____, enacted by the City Council on _____, 2015 (collectively, the “Bridgewater PUD Ordinance”);

WHEREAS, the Commission took action to forward said petition (Docket 1511-PUD-21) to the Westfield City Council (the “Council”) with a _____ recommendation (by a vote of__ in favor and __ opposed) in accordance with Ind. Code § 36-7-4-608, as required by Ind. Code § 36-7-4-1505, on _____, 2015;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the City Council on _____, 2015; and,

WHEREAS, the Westfield City Council is subject to the provisions of the Indiana Code IC 36-7-4-1507 and 36-7-4-1512 concerning any action on this request.

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE BRIDGEWATER PUD ORDINANCE AND TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 1. The Bridgewater PUD Ordinance is hereby amended so that the standards set forth below are applicable to the real estate described in what is attached hereto and incorporated herein by reference as Exhibit “A” (the “Real Estate”). In all other respects, the Bridgewater PUD Ordinance shall remain in effect and unchanged.

- A. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Bridgewater PUD Ordinance.
- B. The Real Estate shall be classified as Area X.
- C. The Real Estate shall be known as Parcel L3 as identified on the revised Concept Plan attached hereto and incorporated herein by reference as Exhibit “B” (the “Revised Concept Plan”).
- D. Development standards applicable to detached single family residences in Parcel L3 shall be the development standards corresponding to Parcel H in Exhibit 12 of the Bridgewater PUD Ordinance, as amended.

SECTION 2. Upon motion duly made and seconded, this Ordinance 15-35 was fully passed by members of the Council this 22 day of September, 2014. Further, this Ordinance 15-35 shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict with this Ordinance 15-35 are hereby amended. To the extent that this Ordinance 15-35 conflicts with the terms of any previously-adopted ordinance or part thereof, the terms of this Ordinance 15-35 shall prevail.

[Remainder of page intentionally left blank, signature page follows.]

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS _____ DAY OF _____, 2015.

**WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA**

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Chuck Lehman

Chuck Lehman

Chuck Lehman

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Robert J. Smith

Robert J. Smith

Robert J. Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy Gossard, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Jon C. Dobosiewicz

I hereby certify that ORDINANCE No. 15-35 was delivered to the Mayor of Westfield

on the _____ day of _____, 2015, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE No. 15-35

This _____ day of _____, 2015.

I hereby VETO ORDINANCE No. 15-35

this _____ day of _____, 2015.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

Prepared by: James E. Shinaver and Jon C. Dobosiewicz, Nelson & Frankenberger
550 Congressional Blvd, Suite 210, Carmel, IN 46280, (317) 844-0106

EXHIBIT "A"

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(Legal Description)

A part of the Southwest Quarter of Section 17, Township 18 North, Range 4 East, Washington Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Quarter Section; thence South 00 degrees 54 minutes 56 seconds East along the West line of said Quarter Section 385.00 feet to a point on the Right-of-Way Dedication to City of Westfield, recorded as Instrument Number 2008046007 in the Office of the Recorder of Hamilton County, Indiana, said point also being the POINT OF BEGINNING of this description; the following five (5) courses are along the Southern boundary of said Right-of-Way; (1) North 89 degrees 05 minutes 04 seconds East 15.00 feet; (2) North 04 degrees 40 minutes 08 seconds East 226.07 feet; (3) North 06 degrees 40 minutes 45 seconds East 60.51 feet; (4) North 53 degrees 34 minutes 17 seconds East 53.29 feet; (5) North 85 degrees 09 minutes 36 seconds East 308.10 feet to a point on the West boundary of Waterford at the Bridgewater Club, recorded as Instrument Number 2013066637, Plat Cabinet #5, Slide #150 in the Office of the Recorder of Hamilton County, Indiana; the following three (3) courses are along said West boundary; (1) continuing North 85 degrees 09 minutes 36 seconds East 40.04 feet; (2) North 89 degrees 46 minutes 23 seconds East 157.81 feet; (3) South 00 degrees 15 minutes 54 seconds East 786.20 feet; thence South 89 degrees 44 minutes 06 seconds West 584.60 feet to a point the aforesaid West line; thence North 00 degrees 54 minutes 56 seconds West 441.65 feet along said West line to the place of beginning, containing 10.227 acres, more or less.

EXHIBIT "A"

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(Legal Description)



EXHIBIT "B"

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(Revised Concept Plan)

LEGEND

AREA X 
AREA Y 
AREA Z 

